

INVESTIGATION

Before you initiate a disciplinary action of any kind, you should have investigated the matter to obtain the facts. **THINK THE MATTER THROUGH.** What is your evidence? An old but still effective guideline for fact gathering is using the five "W's".

WHAT: What actually happened? Were regulations violated? Are there documents available to support the record? Have you been able to put together a clear step-by-step picture of what took place?

WHEN: What was the date and time of the incident? If there is a sequence of events, can you follow it chronologically?

WHERE: What was the location of the incident? What was the setting i.e., shop, office, classroom, etc.?

WHO: Who was involved? Were there any witnesses? Have you talked with everyone who can shed light on the matter? Can you obtain sworn statements or at least written statements signed by the individuals involved? Do they have direct knowledge of the incident or is it hearsay from a second source?

WHY: What led up to the incident? Was the employee aware, or at least should they have been aware of the regulations? Is alcohol or drug abuse involved? What factors may have contributed to the situation?

The following is a short list of common mistakes that should be avoided when conducting an investigation:

1. Starting out with pre-conceived conclusions.
2. Overlooking files and records.
3. Using secondary instead of primary sources of information.
4. Being misled by bias of others.
5. Yielding to pressures for hasty action.
6. Confusing conclusionary and unfactual data.
7. Failure to protect evidence.

8. No first hand inspection of investigative data.
9. Incomplete recording of investigative data.
10. Reaching final conclusion before complete gathering and evaluation of investigatory data.
11. Deciding on relevance or irrelevancy of data before all data is assembled.
12. Drawing inferences that do not follow from the facts.

The kind of investigation will depend on the particular circumstance in the case, just remember! “Don’t assume anything and don’t jump to conclusions—get the facts!”

Regarding off-duty misconduct, the supervisor must consider whether there is a nexus or connection between the misconduct and the “efficiency of the Service.” There must be a relationship between the misconduct and the efficiency of the Service before disciplinary action is appropriate.

Keep in mind that there are violations that should be reported to the Office of the Inspector General, and/or the Office of Special Counsel, etc.